
TAUNTON PLANNING BOARD MINUTES
Meeting held at 15 Summer Street

DATE: JUNE 3, 2021

BOARD MEMBERS: Anthony Abreau, Chairman Arthur Lopes
Bob Campbell, Vice Chairman John Reardon
Manuel Spencer, Clerk Dennis I. Ackerman
Brian Carr

ADVISORS:
Michael Patneaude, City Engineer
Kevin Scanlon, City Planner

Roll Call: Ackerman, Reardon, Carr, Abreau, and Campbell present.
Meeting opens at 5:33 PM.

Bob made motion to go into Executive Session – Strategies with respect to potential litigation
Seconded by John. All in favor.
No votes were taken in Executive Session.

Bob made motion to approve minutes of May 13, 2021 seconded by Dennis All in favor.

Cont'd. Public Hearing – 19 Ingell St. - A Special Permit from Section 440 Attachment # 1 of the Zoning Ordinance for the division of lot into two lots with a Special Permit for a triplex on each lot (total 6 units)

Request from Michael Binda requesting a continuance to next month.
Bob made motion to grant continuance, seconded by John. All in favor.
Continued to July 1st meeting.

Cont'd. Public Hearing – Special Permit – Disamar Rd. & Dean St. (56-62) - to allow a multi-family use (3 family dwelling) submitted by Erin Murphy.

Request from Atty. Manganiello requesting a continuance to next month.
Bob made motion to grant continuance, seconded by John. All in favor.
Continued to July 1st meeting.

Cont'd Public Hearing – Special Permit/Site Plan Review – 404 Winthrop St. - Map 89, Lot 75, for sales and repair of motorcycles in the existing building , submitted by Russell Governo

Roll Call: Campbell, Ackerman, Reardon, Abreau, and Carr. Hearing opens at 6:15 PM
Atty. Edmund Brennan, Roy DeLano and Russ Governo, were invited into the meeting. Atty. Brennan stated they are here for two things, a Special permit for the Sales & repair in the Highway Business District and Site plan Review for the entire site. This is the old site of the John Deere tractor business which has been there for years. They are here tonight for a special permit for selling and repair, they do more repairing of their own motorcycles. The Site Plan Review is triggered because of a change of use. Atty. Brennan states there will be no significant change to the footprint of the building. Tenant is just renting space inside and a portion of the outside to sell motorcycles. There will be no more than 6 bikes out for display. Hours of

operation are Monday –Friday 9am – 5 pm, Saturday 9am – 2 pm. No Sunday. They have gone through the DIRB conditions and the only thing they wanted to ask the Board if they could keep the gate because it's good security. There is more than one tenant in the building they would also have key to gate. The leased gravel area is 152' x 105 which will be left the way it is until they need it and then it will be paved. They received an order of conditions from the Conservation Commission. The sole access is from Winthrop Street. Bob asked if he was good with all DIRB comments except #8 about gate, they want to keep it. And #16 will remain in place until paved. Brian asked if repairs including testing will be done inside. It was answered yes. John asked about a road opening permit? Atty. Brennan stated there are 3 businesses at this location. There will be a leased area for him. John asked about the handicapped space? Atty. Brennan stated they want to keep gate but they could remove post but there is enough room to go around. Brian asked about repairs and if they will be done inside, he was concerned with noise. It was answered most repairs are done inside and they do have to test drive the motorcycles. They have applied for a repair plate and are waiting for approval. Atty. Brennan stated they have their application in for a Class II to sell automobiles and motorcycles but they only want to sell motorcycles. They don't want more than 6 out at one time and will be inside at night.

Dennis made motion to open public input, seconded by John. No one in favor or opposed.

John made motion to close public input, seconded by Brian. All in favor.

John made motion, seconded by Dennis, to approve the Site Plan Review to include dept comments & conditions:

Condition #1) That the plans dated April 14, 2021 and revised through May 18, 2021 shall govern with the following additional conditions;

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two sets of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) dumpsters shall be located on a concrete pad, enclosed with a 6 foot stockade fence, be kept closed at all times and emptied regularly

Condition #7) Min required parking is 25 spaces based on the building area and types of uses shown

Condition #8) DPW permits are required including city licensed contractor, road opening and or trench

Condition #9) DPW specifications apply including new water meter with an updated radio frequency unit, inspection and approval, potential inspection for a backflow device by the plumbing inspector or city inspector

Condition #10) prior notice is required before any city water work is to be performed and inspections will be required before backfilling

Condition #11) No outside storage of hazardous materials is allowed

Condition #12) A hazardous materials permit from the Board of Health is required

Condition #13) The parking spaces shall be striped

Condition #14) Display and storage of any products outside shall be confined to the 8,065 sf gravel area and the 663 sf designated retail space shown on the plan only. There is no limit inside.

Condition #15) The chainlink fence along the lease line shall be either removed in its entirety or cut back so that the fence lines up with the end of parking space 12 shown on the plan

Condition #16) Parking Space #11 shall be the Handicapped space.

Condition #17) No more than 6 vehicles shall be stored or displayed outside at any one time.

Condition #18) Hours of Operation: Monday – Friday 9 AM – 5 PM, Saturday 9 AM – 2 PM . Closed Sunday
Condition #19) No outdoor repairs allowed on premises.
All in favor.

Public Hearing - Definitive Subdivision – entitled “Titus Way” to create 6 residential lots (for a total of 12 units) on property located at 104 Hart Street, Map 93, Lot 207

Roll call: Ackerman, Campbell, Abreau, Carr and Reardon. Hearing opens at 6: 37 PM

Atty. Edmund Brennan, Bob Forbes, Zennith Eng. and Joe Malloch were invited into meeting.

Dept. comments were read into the record from City Planner, Conservation Commission, Engineer, Water Dept., B.O.H, Fire Dept, and letter from abutters Eric Amaral and Josh Amaral - opposed Letter from Cheryl Titus in favor. Atty. Brennan stated the proposal is for a 6 lot subdivision in the Urban Residential District. They are proposing duplexes on each lot which are allowed by right under zoning. They are asking for a list of waivers which are fairly routine. He is aware of some abutters concerns but they think this is a well designed subdivision. Bob said they are proposing one sidewalk on one side which goes around the cul-de-sac. There was discussion about having cape cod berm and it was decided the Board likes sloped granite curbing. They are proposing a 26 wide roadway and it was pointed out they need to provide wheelchair ramp at Hart street. The wheelchair ramp can have vertical curbing. John asked about snow removal? It was noted to show snow removal on plan. Brian asked about what is the depth of the detention basin? Bob F. answered top of the dyke is 34 feet and bottom is 31 feet so its 3 feet deep. There will a maximum of 2 feet of water in a 100 year storm. Brian would like fencing around the detention basin. He said there will be 6 duplexes so there's good possibility there will be children living there. The trash will be picked up and there will be a homeowner's association for the detention basin. Approximate house location and driveway are on plans. It was asked if they would be providing any buffer for Rizzo property. It was stated they have talked to them several times and they will keep as many trees as possible for privacy. Bob asked Joe M. if any privacy barrier will be provide for Lot 6? It was answered they would be providing fencing for Lot 6. Tony asked what are the contours? 4-6 feet and it will be a duplex which will be 2 floors. Dennis stated they came before the ZBA to split the lot and they were originally proposing more but they came back with 6 lots. He agrees in providing some privacy. The property is a large piece of land that has been sitting there. There was discussion about providing 6 foot white vinyl along the property line. Bob asked about the elevation of 32 and City wants to bring it to 32. Bob F. explains how the detention basin works. It was noted the two lots down the end of the cul0de-sac don't have a backyard and suggest making those single family houses. Joe stated there is some yard around the house and says they would keep at duplex. Bob pointed out the drainage easement is on lots 3 & 4. Bob F. state they would need to have access easement. House are not exact location and can be moved around. Bob suggests moving the driveway on lot 2. There will be individual pumps in each house. There will be 2 water services also. Tony asked about providing some fencing for Amaral or plantings.

Bob made motion to open public input seconded by Brian. All in favor.

Opposed: Josephine Rizzo, 108 Harr St. stated they has lived there for 33 years and now her lot becomes a corner lot. They spoke to Mr. Malloch and had no luck. The street is extremely busy and they have Chateau Estates down the road. She stated she's not happy with the proposal she wants to maintain her privacy.

Brian made motion to close public input, seconded by Dennis. All in favor.

Dennis made motion, seconded by Brian to approve the Definitive Subdivision with the following waivers and conditions:

WAIVERS:

- 1. Waive of required property line radius of 30 feet**
- 2. Waive the required pavement diameter of 120' and allow a diameter of 100'**
- 3. Waive the requirement of a 6 foot wide sidewalk on both sides and allow a 5 foot wide sidewalk on one side on the road which shall wrap around the cul-de-sac.**
- 4. Waive the requirement of street trees**
- 5. Waive the 30 foot wide road and allow a 26' wide road. Waive the 50' wide layout and allow a 40' wide layout.**

CONDITIONS:

- 1. The Subdivision will follow the outside consultant guidelines for inspections which shall also include coverage of the sewer and water extensions and all other work offsite completed in conjunction with this project. The initial escrow deposit for paying for inspections shall be \$10,000 and shall be replenished back to a \$5,000 balance anytime the balance dips below \$1,500. The Board has selected the next consultant due for appointment.**
- 2. The plus and minus sign notations on the lot areas, uplands and drainage easement must be removed.**
- 3. A homeowner's association shall be established for the maintenance of the detention basin. This must be done prior to any lot releases.**
- 4. The roadway as well as Lots 1, 2, 3, and 4 will be required to file separate Notices of Intent with the Conservation Commission.**
- 5. Add frontage totals for each lot on the plans.**
- 6. An Operations and Maintenance Plan must be included in the Homeowner's Association Agreement.**
- 7. Vertical granite curbing is required for the roadway radii and at ADA curb ramps. The vertical granite curbing shall extend at least 6' past the end of the curve per item 406 in the Subdivision Rules & Regs.**
- 8. The proposed sidewalk and utilities must be added to the roadway cross-section detail.**
- 9. Granite sloped edging shall be installed along the sidewalk. The 5' sidewalk width should be measured from the back of the sloped edging or 6' from the edge of road. Sidewalk grades shall be maintained through the driveways.**
- 10. City Water is available for the proposed 8" domestic from the existing 12" city water main on Hart St.**
- 11. DPW Specifications apply including: Water services, hydrants, gate vales and curb stops.**
- 12. DPW permits are required including City licensed contractor, road opening and or trench.**
- 13. DPW Specifications apply including : hydrant flow testing, pressure testing, materials, installation, new water meter with an updated radio frequency unit, inspection and approval.**
- 14. DPW Specifications apply including: any backflow devices must be inspected by the Plumbing Inspector or City Inspector.**
- 15. Prior notice is required before any city water work is to be performed, and inspections will be required before any backfilling.**
- 16. City reserves the right to change the terms and conditions of water facility installations at any time.**
- 17. The lots will be serviced by municipal water and sewer. All dwellings must comply with the Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II.**
- 18. Show snow removal area on the plans.**

19. Erect a 4 foot chainlike fence around the detention basin.
20. Erect a 6 foot fence on lot 6 along the property line of 108 Hart St. starting at the rear of house #108 Hart St. to the end of the property line. Type of fencing shall be determined between applicant & owner of 108 Hart St.
21. Plant minimum 5 foot tall arborvitaes on Lots 5 & 6 along the entire property line of 112 Hart Street. (Eric & Patricia Amaral)

Hearing closed at 7:24 PM

Public Hearing - Special Permit/Site Plan Review - 716 County St. (parcel 93-148) and 93-149, and 93-150 - for the construction of a 3,298 square foot restaurant with a drive-thru in the Highway Business District, submitted by Bruce Thomas, Manager of HTJT, LLC

Dept. comments were read into the record from DIRB, Engineer, Water Dept., City Planner, Fire Dept. Atty. Brian Correia, Bruce Thomas and Eric Dubrule, Bohler Engineering were invited into the meeting. Atty. Correia stated the property consisting of 3 properties which will be all combined. After working with the Fire Dept. they changed plans to provide sufficient fire access. They reduced the size of building and now has sufficient fire access. They are proposing a Burger King with a drive-thru. This location is ideal because it's in the Highway Business District and has many establishment in the immediate area. There will be 66 seats with 48 parking spaces (which is more than required) They have room for 10 vehicles stacked in the drive-thru. They are proposing a cross connection to the site next door which is owned Mr. Thomas. They will need to amend that site plan review. They submitted traffic study and the restaurant will not attract new traffic just pass by trips. McMahon did traffic study and concluded it would be minimum impact on the traffic that is already there. They are proposing 50% reduction of landscaping. Currently there is a building on the site with a detached garage. They are proposing a free-standing sign that will comply with the zoning ordinance. Bob asked if they are proposing a trash receptacle at the drive-thru and Bruce answered he's not the operator of the site, it will be Burger King. Bob asked if there is access from the sidewalk and it was answered yes. Brian has concerns with the left hand turn out onto County Street. Cumberland Farms had one way out heading towards Home Depot. He likes the connection between the sites. He read the traffic study and has some reservations on the left turn. Traffic study showed 18 crashes in 2014. He thinks it's a good project but he has concerns about the left hand turn out onto County Street. Eric stated the traffic study count was by machine and they did look at the access and the conclusion is that it's acceptable. The traffic is better in this area. Brian asked when did they do the study? Eric says they did it 3 hours during peak time taking a left turn and it had 3 cars stacking back which is acceptable. Bruce stated the majority of people coming out use Hart Street. Tony stated the Mass DOT has jurisdiction. He said there will be new water and they will need to camera sewer.

Bob made motion to open public input, seconded by Dennis. Opposed: Dawn Dow, 734 County St. stated the traffic is terrible now and to take a left is insane. She is concerned about the noise from this site and if they are proposing any buffer. He mom is 85 years old and lives next door. She would like a fence for privacy for her mom's property. Dennis asked what type of fencing would be acceptable vinyl, chain link or stockade? Dennis suggest putting 6 foot fencing along her property line. What are the hours of operation? It was answered 6:00 AM – midnight daily. The drive-thru will be opened later and the outdoor speaker can be turned down around 9 PM. Atty. Brianna asked the Board if they would rather see no left turn off County Street and rather see a Right Turn Only when exiting off County St? Bruce says they could do Right Turn only off County Street. Dennis stated the Special permit is for the drive-through and asked if they should take two different votes. It was stated they can do one vote for both.

Bob made motion to close public input, seconded by John. All in favor.

Dennis made motion, seconded by Brian, to approve the Special Permit/Site Plan Review with the following conditions:

Condition #1) That the plans dated May 10, 2021 shall govern with the following additional conditions;

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two sets of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) dumpsters shall be located on a concrete pad, enclosed with a 6 foot stockade fence, be kept closed at all times and emptied regularly

Condition #7) a copy of the Mass Highway curb cut approval shall be provided prior to any building permits

Condition #8) a copy of the recorded access easements with the abutting property shall be provided to the City prior to any building permits

Condition #9) DPW permits are required including city licensed contractor, road opening and or trench

Condition #10) DPW specifications apply including pressure testing, materials, installation and new water meter with an updated radio frequency unit, inspection and approval, and potential inspection for a backflow device by the plumbing inspector or city inspector

Condition #11) prior notice is required before any city water work is to be performed and inspections will be required before backfilling

Condition #12) The proposal requires an amendment of the abutting properties existing site plan review approval. The amendment shall be completed prior to any building permits

Condition #13) Compliance with the Order of Conditions from the Conservation Commission or superseding authority

Condition #14) The parcels shall be combined into one lot via a recorded plan and confirmatory deed with a copy provided for the file prior to any building permits

Condition #15) Provide trash receptacle in the Drive-thru Lane

Condition #16) Provide a 6 foot white vinyl fence along the property line of 734 County Street as shown on the plans.

Condition #17) Erect a Sign stating: Right Turn Only when exiting site to County Street.

Condition #18) A 50% reduction of landscaping buffer is approved as requested.

Condition #19) Curb Cuts to be approved by the Mass. DOT.

Condition #20) Hours of Operation: 6 AM to 12 AM daily. Speaker in drive-thru to be turned down by 9 PM

Condition #21) Erect a 6 foot white vinyl fence along the property line of 734 County Street.

Condition #22) Place a trash receptacle in the drive—thru lane.

Condition #23) Place a Right Turn Only Sign when exiting off County Street

Condition #24) Curb Cut to be approved by Mass DOT

Condition #25) A 50% landscaping waiver has been approved as shown on the plans.

Hearing closed at 8:30 PM

Public Hearing - Special Permit/Site Plan Review – 336 Winthrop St. for property at 336 Winthrop Street (Parcel I.D 76-108, 90-8, 90-9 and 90-10) for the construction of a 1,978 square foot restaurant with a drive-thru in the Highway Business District, submitted by Bruce Thomas Manager, Ocean Realty LLC

Dept. comments were read into the record from DIRB, ZBA Case # 3603, Engineer, Water, Fire Dept., Veolia Water, TMLP, letter from abutter Virginia McCrohan.

Atty. Brianna Correia, Bruce Thomas, owner and Eric Dubrule, Bohler Engineer were invited into the meeting.

Atty Correia stated they received ZBA approval for setback variance. The property is the old May Villa Chinese Restaurant and now it will be a Dunkin Donuts. The owner is re-locating his business from 296 Winthrop Street to this site which will be a much easier site. They shared a common driveway at 296 Winthrop Street which has creates some issues. This new site will be better, they will have 17 parking spaces and they have more space for the drive-thru. They can have 8 vehicles in the drive-thru without causing any impact. They submitted a traffic report form McMahan which shows the benefit of the reduction of the curb cuts. There will be no fire access issues and they will be providing landscaping which will improve the site. They have spoken to abutters and have agreed to put up fencing along Virginia McCrohan property. They have received positive feedback from neighborhood. Tony asked if they plan on demolishing the existing building and it was answered yes. John asked what are hours of operation? 4:00 AM – 9 PM daily. Patio area 8 PM. It was asked if they have indoor seating and it was answered yes. Dennis stated this site is across from Readmore Bookstore and it was answered yes. He suggested placing solid guard rail fence type along Harvard Street. John stated the outside patio might be a hangout and he wanted to restrict the hours so that won't happen. Dennis stated if it's a problem they can remove it. Bob asked if they were sidewalks along Winthrop Street and he suggests putting walkway to corner of Harvard Street. Eric stated they could do that but they will also put stop bars. Bob would like to see trash receptacle along the drive-thru. Tony suggested moving the curb cut further from Harvard Street. Bruce talked to Justin as DOT about the curb cut. The water & sewer is from Harvard Street and gas from Winthrop Street. Brian asked is there a walkway to Harvard Street and it was answered there is no access from Harvard Street. Bob stated there is a small piece of land and Bruce stated he purchased it and will be combining into one lot. Bob made motion to open public input, seconded by Brian. All in favor.

Virginia McCrohan, 340 Winthrop St. stated she has no objection to the proposal and likes the idea of outdoor seating. She has spoken to Bruce and he said he would put fence up. She watches the neighborhood and this proposal will be good for the neighborhood.

Brian made motion to close public input, seconded by Bob. All in favor.

Dennis made motion seconded by John to approve the Special Permit/Site Plan Review with the dept. comments and conditions:

Condition #1) That the plans dated March 17, 2021 shall govern with the following additional conditions:

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two sets of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) dumpsters shall be located on a concrete pad, enclosed with a 6 foot stockade fence, be kept closed at all times and emptied regularly

Condition #7) a copy of the Mass Highway curb cut approval shall be provided prior to any building permits

Condition #8) Compliance with the conditions contained in the ZBA Case #3603 decision

Condition #9) DPW permits are required including city licensed contractor, road opening and or trench

Condition #10) DPW specifications apply including pressure testing, materials, installation and new water meter with an updated radio frequency unit, inspection and approval, and potential inspection for a backflow device by the plumbing inspector or city inspector

Condition #11) prior notice is required before any city water work is to be performed and inspections will be required before backfilling

Condition #12) Compliance with the Order of Conditions from the Conservation Commission or superseding authority

Condition #13) There shall be a maximum of 8 seats in the outdoor patio area

Condition #14) The parcels shall be combined into one lot via a recorded plan and confirmatory deed with a copy provided for the file prior to any building permits

Condition #15) All drain pipes shall be a min of 12 inch diameter

Conditions #16) Provide trash receptacle in the drive-thru lane.

Condition #17) Hours of Operation 4 AM – 9 PM daily. Outside patio to close at 7 PM

Condition #18) Place guardrail or fencing along the Harvard Street property line.

Condition #19) Provide pedestrian walkway from site to Winthrop Street.

Condition #20) Striping to conform with the MUTCD

All in favor. Hearing closed at 7:50 PM

Public Meeting – Site Plan Review - 425 Constitution Drive – Map 23, Lot 81 for traffic flow modifications to the previously approved site plan – submitted by Mountain Dog Operating LLC.

Dept. comments were read in the record from DIRB, Water Dept., Veolia Water, Engineer, Fire Dept., and TMLP. Ken Motta, Field Engineering Co. was invited into the meeting. They had DIRB meeting and they have no issue with the conditions. Ken said they had Site Plan Review in Dec. 2020 for freezer expansion and now they wish to provide employee amenities in providing an outdoor courtyard and revision to the driveway entrance. They went to ZBA for minor relief of the rear yard setback.

Brian made motion to open public input, seconded by John. All in favor. No one in favor or opposed.

Brian made motion to close public input, seconded by John All in favor.

Dennis made motion, seconded by Brian, to approve the Site Plan Review with dept. comments and conditions:

Condition #1) That the plans dated November 6, 2020 and revised through May 6, 2021 shall govern with the following additional conditions;

Condition #2) That all of the conditions of the December 4, 2020 approval shall remain in full force and effect except as specifically modified by this decision

Condition #3) Compliance with ZBA case # 3570 is required

Condition #4) Two sets of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) Two sets of updated plans shall be provided that conforms to this decision prior to Building permit
All in favor.

Public Meeting – Site Plan Review – 170 Hart St – for a 5 family use (triplex & duplex) in an Urban Residential district, submitted by Jose Andrade

Motion made and seconded to continue to next month due to no one being present to do presentation.
Continued to July 1st meeting.

Public Meeting – Site Plan Review – 148 Longmeadow Rd. - for property at 148 Longmeadow Road for the construction of a 77' x 82' addition to the existing commercial industrial building to be used for warehouse purposes, submitted by George Lewis

Dept. comments from DIRB, Water Dept., Engineer, and Fire were read into the record. Jeff stated they want to put an addition on the south side of the building for more storage. They will increase the gross square footage which requires more parking. They basically are expanding a non-conforming structure by putting the addition on and they have received ZBA approval. The exiting building is on sewer and there is a manhole on the north side of the site. They will have the sewer line brought up. They are adding 6 spaces on the north side. This business has been there very long time and never had any problems with parking. There is no need for additional parking but the ordinance requires it. Bob asked if they were in the floodplane and Jeff answers no. Bob asked if they had any access to the north side of the building because if the Southcoast rail goes through there will be no access. Jeff sated they will have to think about this proposal because now this trigger a sprinkler system per the fire dept. and he doesn't know if his client will be able to do that. They may request a variance from the fire code. Public Input: no one in favor or opposed.
Dennis made motion to grant the SPR with dept. comments and conditions, seconded by Brian. All in favor.

Condition #1) That the plans dated May 10, 2021 shall govern with the following additional conditions;

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two set of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) dumpsters shall be located on a concrete pad, enclosed with a 6 foot stockade fence, be kept closed at all times and emptied regularly

Condition #7) Show all doors and outside display areas on the plans

Condition #8) Compliance with the conditions contained in the ZBA Case #3604 decision

Condition #9) DPW permits are required including city licensed contractor, road opening and or trench

Condition #10) prior notice is required before any city water work is to be performed and inspections will be required before backfilling

Condition #11) show all parking on the plan

Condition #12) show the septic on the plan or a sewer connection note

Special Permit – 46 Harrison St. - for a 6 family use – in the Urban Residential District – need to forward a recommendation to the Municipal Council, submitted by Bradley Thomas

Dept. comments from Engineer, Conservation Commission, TMLP, Veolia Water, Water Dept., B.O.H, and fire dept. were read into the record. Lester Wade and Bradley Thomas were invited into the enclosure. Bradley stated they made some changes to the plans. They initially had a 6 family house with a church. They council denied that and we came here for a repetitive petition and showed we removed the church and it was a significant change. So now they need to go back to council and they need a recommendation from Planning Board. They added 2 car garage and added overflow parking in back. They also added ramp in front. Bob asked if they had any connection between the walkway on the site to Winthrop St. & Harrison St. Bob made motion to forward a positive recommendation for a 6 family use with the following conditions: Add pedestrian walkway from site to Harrison Street and Winthrop St. 2 Place no parking signs along the entire frontage of property (along Winthrop St. & Harrison St.) as shown on the plans. dept. comments from City Engineer, Conservation Commission, TMLP, Water , Veolia Water, B.O.H. and Fire were forwarded also.

SRPEDD – 2021-2022 P.B. Delegate –

John nominates Dennis Ackerman. Dennis declines.

John nominates Brian Carr, Brian Carr accepts.

Motion made and seconded to have Brian Carr the 2021 – 2022 P.B Delegate - All in favor.

Gracey Estates - preliminary subdivision - letter from Sitec Eng.

Jeff Tallman, Sitec Eng. and John Garanito owner were invited into the enclosure. They wanted to get the Boards' feeling on requesting a waiver of the 100 foot open space around the proposed cluster development. They submitted letter from Division and Wildlife, Jessie Leddick. John G stated it's very similar to Crowley Estates. They found one or two turtles that limits the work you can develop. Bob suggested incorporating some of the lots as part of the conservation restriction. John G. state they will put signage to make everyone aware. Jeff stated they can provide some buffer just not the 100 foot, like 25 feet. Brian asked if the limit of work will be in the deed and it was answered yes and it will be in the P&S agreement. Bob likes the idea of helping to keep the natural habitat and provide 25 feet along the west side.

Meeting adjourned at 9:14 PM